



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:  
SCOTT JACOBS;  
Serial Number:  
10/727,061

Filed  
December 2, 2003  
For:  
IMPROVED MOUTHPIECE

GROUP: 330

Examiner:  
Camtu Nguyen

Docket No. 130136

*OK to  
enter  
11/9/05  
CT Nguyen*

BRIEF ON APPEAL

To the Commissioner of Patents and Trademarks:

Sir:

Please enter the Brief On Appeal from a Notice of Appeal filed April 6, 2005. Also enclosed is PTO-2038 (02-2003) authorizing the payment of \$250.00 for the Fee under Fee Code 2402.

(1)

REAL PARTY IN INTEREST

The real party in interest in this application is Safe-T-Gard Corporation by virtue of an Assignment executed by the above named inventor on November 6, 2003, and filed with the U.S. Patent and Trademark Office for recordation on June 6, 2005.

(2)

RELATED APPEALS AND INTERFERENCES

There are no related appeals or interferences for this application.

(3)

STATUS OF CLAIMS

Claims 1-14 are pending in this application. Claims 1-14 have been rejected in a Final Office Action signed December 10, 2004. Claims 1-14 are the claims on which this appeal is taken.